

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

BOARD OF TRUSTEES OF THE)
SHEET METAL WORKER'S LOCAL)
NO. 124 PENSION TRUST; THE JOINT)
BOARD OF TRUSTEES OF THE HEALTH) Case No. CIV-17-1057-M
AND WELFARE TRUST; THE BOARD)
OF TRUSTEES OF THE SHEET METAL)
WORKERS' LOCAL UNION NO. 124)
VACATION FUND; and THE BOARD)
OF TRUSTEES OF THE SHEET METAL)
WORKERS' APPRENTICE TRAINING TRUST,)
)
Plaintiffs,)
)
vs.)
)
STEWART ENVIRONMENTAL AIR)
SYSTEMS, INC.)
)
Defendant.)

**APPLICATION FOR ORDER TO APPEAR AND
ANSWER AS TO PROPERTY AND FOR INJUNCTION**

The Board of Trustees of the Sheet Metal Workers' Local No. 124 Pension Trust, The Joint Board of Trustees of the Health and Welfare Trust, The Board of Trustees of the Sheet Metal Workers' Local Union No. 124 Vacation Fund Trust and The Board of Trustees of the Sheet Metal Workers' Apprentice Training Trust (hereinafter collectively "Plaintiffs"), hereby request, pursuant to 12 O.S. §842, made applicable through Fed.R Civ.Pro. 69, that the Court enter an Order Requiring the Judgment Debtor, Stewart Environmental Air Systems, Inc., by and through its President, Dennis L. Stewart ("Judgment Debtor"), to appear at a date certain and answer concerning their property and assets, and for an injunction prohibiting the Judgment Debtor from transferring, alienating, concealing, or encumbering any of his non-exempt property, pending the Hearing on Assets and until further Order of this Court. In support of this Application, Plaintiffs show the Court as follows:

1. Plaintiff is the Judgment Creditor, as a result of the entry of the Judgment obtained in the above-styled cause on the 21st day of December, 2017, against the above-named Judgment Debtor, the Order Awarding Attorney's Fees on February 7, 2018 and the award of the Bill of Costs on January 4, 2018.

2. There remains a balance due on said Judgment the principal sum of \$28,591.07, plus interest thereon at the rate provided by law.

3. Pending a Hearing on Assets, there is a danger that the Judgment Debtor will attempt to transfer, conceal, and/or encumber property in an attempt to place it beyond the reach of creditors, and this Court should enter an Order enjoining said Judgment Debtor from doing so.

WHEREFORE, Plaintiffs pray as follows:

1. That this Court enter an Order directing the Judgment Debtor to appear and answer concerning their property and assets on a date certain to be fixed by this Court. That said Judgment Debtor be further ordered to bring with them certain books, records, and other matters in order that a full and complete hearing on assets can be held.

2. That this Court enter an Order forthwith enjoining said Judgment Debtor from transferring, alienating, concealing, and/or encumbering any non-exempt property pending a Hearing on Assets and until further Order of this Court.

Respectfully submitted,

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